

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-1573

George Nwizuzu,

Appellant,

v.

United States of America,

Appellee.

*

*

*

*

*

*

*

*

*

Appeal from the United States

District Court for the

District of Minnesota.

[UNPUBLISHED]

Submitted: July 17, 2002

Filed: July 23, 2002

Before WOLLMAN, MORRIS SHEPPARD ARNOLD, and MELLOY, Circuit
Judges.

PER CURIAM.

Federal prisoner George Nwizuzu appeals the district court's¹ dismissal of his
Federal Tort Claims Act (FTCA) suit. We affirm.

¹The Honorable Donovan W. Frank, United States District Judge for the
District of Minnesota, adopting the report and recommendations of the Honorable
Jonathon G. Lebedoff, United States Magistrate Judge for the District of Minnesota.

Nwizuzu claimed that while a federal corrections officer was packing his property, the officer negligently failed to document and thus caused the loss of a pair of Nwizuzu's work boots. We conclude that the alleged conduct would fall under the 28 U.S.C. § 2680(c) exception to the FTCA waiver of sovereign immunity because it arose out of the detention of Nwizuzu's property before he was placed in administrative segregation. See Kosak v. United States, 465 U.S. 848, 854 (1984).

The judgment is affirmed.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.